

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

**DAVID FRAZIER, II, d/b/a  
FRAZIER'S PAWN SHOP,**

**Petitioner,**

v.

**Civil Action No. 3:19-cv-00208**

**MICHAEL F. FRONCZAK,  
Director of Industry Operations  
Washington Field Division  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives,**

**Respondent,**

**RESPONDENT'S MOTION FOR SUMMARY JUDGMENT**

Respondent, by and through counsel, William J. Powell, United States Attorney for the Northern District of West Virginia, and Erin K. Reisenweber, Assistant United States Attorney for said District, respectfully moves for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. The grounds for Respondent's Motion are supported by the Administrative Record and are more fully set forth in the Memorandum of Law filed herewith.

Respectfully submitted,

WILLIAM J. POWELL  
United States Attorney

By: Erin K. Reisenweber  
Erin K. Reisenweber  
Assistant United States Attorney  
217 West King Street, Suite 400  
Martinsburg, West Virginia 25401  
(304) 262-0590 telephone  
(304) 262-0591 fax  
[Erin.Reisenweber@usdoj.gov](mailto:Erin.Reisenweber@usdoj.gov)

CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2020, I electronically filed the foregoing **MOTION FOR SUMMARY JUDGMENT** with the Clerk of the Court using the CM/ECF system, which will send notice of such to all counsel of record.

*/s/ Erin K. Reisenweber*  
Erin K. Reisenweber  
Assistant United States Attorney  
United States Attorney's Office  
217 West King Street, Suite 400  
Martinsburg, WV 25401  
Phone: (304) 262-0590  
Fax: (304) 262-0591  
[Erin.Reisenweber@usdoj.gov](mailto:Erin.Reisenweber@usdoj.gov)